

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-14 are pending. Claims 9-12 have been withdrawn.

Claims 1, 2, 13 and 14 stand rejected.

Claims 3-8 are objected to but would be allowable if rewritten in independent form. .

Claims 1, 4, 5, 6, 8, 13 and 14 have been amended. Claim 3 has been cancelled without prejudice.

Claims 1, 8, 13 and 14 are independent claims.

The drawings are objected to for failing to show every feature recited in the claims. The Abstract is objected to for not having been placed on a separate page apart from any other text. Claims 1, 2, 13 and 14 stand rejected under 35 USC 102(b) as being anticipated by Kurumisawa, Takashi, USPPA 2003/0112231).

Claims 3-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

With regard to the objection to the drawings, the Office Action asserts that the feature "means (LD) for determining a load..." must be shown or the feature cancelled.

Applicant thanks the Examiner for his observation. However, a review of the drawings, e.g., FIG.2, and the description of the elements illustrated in FIG. 2, in the Specification reveals that the load determining device is labeled LL. Furthermore, other than the character reference label (LD) in the claims, the specification fails to refer to the label LD. Hence, it is believed that the labels used in the claims are in error and applicant has elected to amend the claims to refer to the label LL rather than LD, which is not disclosed.

For the amendments made to the claims, applicant submits that the reason for the objection has been overcome, without the submission of replacement drawings.

With regard to the objection to the ABSTRACT, applicant submits herein a replacement paragraph containing the ABSTRACT on a single page separated from the remaining text.

For the submission of the ABSTRACT on a single page, applicant submits that the reason for the objection has been overcome.

Applicant thanks the Examiner for the indication of allowable subject matter in claims 3-8 and has elected to amend the independent claims to include the subject matter recited in claim 3. Claims 1, 8, 13, and 14, as amended, are believed to be in conformance with the indication of allowable subject matter and, thus, in allowable form.

With regard to the claims dependent from the independent claims, these claims are also allowable by virtue of their dependency upon an allowable base claim.

With regard to the rejection of claims 1, 2, 13 and 14 as being anticipated by Kurumisawa, Takashi, (USPPA 2003/0112231), applicant submits that for the amendments made to the claims, to place the claims in conformance with the indication of allowable subject matter, the reason for the rejection is no longer relevant.

Applicant respectfully requests that the rejection be withdrawn.

For the amendments made to the claims and for the arguments presented, herein, applicant submits that the objections and rejection of the claims has been overcome and respectfully requests that the objections and rejections be

withdrawn and that a Notice of Allowance be issued.

Applicant makes no statement regarding the patentability of the subject matter recited in the claims prior to this Amendment and has amended the claims solely to facilitate expeditious prosecution of this patent application. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by the originally filed claims, as presented prior to this Amendment, and any additional claims in one or more continuing applications during the pendency of the instant application.

Applicant denies any statement, position or averment stated in the Office Action that is not specifically addressed by the foregoing. Any rejection and/or points of argument not addressed are moot in view of the presented arguments and no arguments are waived and none of the statements and/or assertions made in the Office Action is conceded.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at the telephone given below.

Respectfully submitted,

Date: November 12, 2009

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